

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DASHAWN C. COLEMAN,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-340 Erie
)	
MARILYN S. BROOKS, et al,)	
)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff's civil rights complaint was received by the Clerk of Court on November 26, 2004 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on January 13, 2006, recommended that the instant civil rights action be dismissed for Plaintiff's failure to prosecute. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at SCI Albion, where he is incarcerated, and on the Defendant. No objections were filed. After de novo review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 6th day of February, 2006,

IT IS HEREBY ORDERED that the instant civil rights action be dismissed for Plaintiff's failure to prosecute. The report and recommendation of Magistrate Judge Baxter, dated January 13, 2006 [Doc. # 11], is adopted as the opinion of the court.

s/ SEAN J. McLAUGHLIN
United States District Judge

cc: All parties of record
U.S. Magistrate Judge Susan Paradise Baxter